

## **Fatality- In A Child Care Setting**

**Purpose: This is the procedure that will be followed when OCC is notified of a child fatality in a child care setting.**

1. OCC will confirm in database any records associated with provider and/or individual.
2. OCC Lead Compliance staff will immediately make notification by email the following individuals:
  - Other CO Compliance Lead
  - Licensing Specialist (LS)
  - CO Manager
  - Regional Manager (RM)
  - Legal Administrator (LA)
  - Office of Child Care Director
  - ELD Communications Manager

Note – the e-mail will be marked as confidential and will indicate if clearance to disclose has been received.

Office of Child Care Director will notify:

- ELD Executive Director

If CPS is involved, CO will notify DPU

Note – after clearance is recieved by other agencies are involved, CO will notify:

- Kelli Walker for CCDF reporting purposes
  - Alyssa for web reporting.
3. Create an Injury log (for all facilities including OF). This step is not taken until clearance is received by CPS/LEA because it will show on the portal.
  4. The follow up communication to individuals listed in step 2 via email: will include chronology/quality check (e.g. compliance, enrollment history if applicable).

*Note- Quality Check for Registry-we need to confirm of any issues (prior cps/LEDS) were either out of timeframe or previously approved. OCC will also verify training (if applicable) and if ERDC funded child in care.*
  5. Document in database that all calls be routed to Legal Administrator or CO Compliance Leads (Priscilla, Kristy, or Mary). *See Documentation scenario that include database steps*

6. CO Compliance Leads will staff with Legal Administrator on next steps: Visit, EOS, rule violations, legal actions. Items to consider will include voluntary closure or suspension and any safety plans needed to remain open or reopen at a later time.
7. Note – If no criminal concern or child protective services concern facility is generally asked to close (not operate) for one week after a death. Facility is not placed in EOS unless warranted.
8. The Child Care Director will notify key Legislative and Governor's office staff.
9. CO Leads will set up meeting to discuss steps with: RM, LS, Child Care Director  
*Note- At this stage this information is not for re-disclosure. OCC can only relay status of the license.*
10. Next Steps – After visit is conducted, the following group will meet to discuss next steps: LA, CO Leads, RM, LS.

### **Other Agency Involvement**

#### **DHS**

**CAS** – If CAS it's generally because LEA has open case and is tracking for toxicology report to be completed. If questionable toxicology report is returned, then the report will be rescreened.

**Open-** Need to see if OCC action will hinder other agency's investigation. CO compliance will provide a chronology that will include facility and possibly registry information. We are authorized to give LEA any/all information for the purposes of their investigation but we are limited on what we give to DHS.

#### **LEA**

**Open No Concerns Awaiting Toxicology Report** – Give law enforcement all information pertaining to licensed facility (compliance history, any necessary background information). In database OCC staff will track for outcome of toxicology report and keep all necessary parties notified of any updates.

**Open/Concerning information/No arrest or Person of Interest established-** Confirm any OCC action will not hinder.

### **Other Types of Care:**

#### **Illegal Care –**

Illegal care scenario as outlined by Child Care Director and LA. Incorporate above process with modification as listed below.

1. Modification to #1;  
*OCC will notify RM for the designated area and will hold off on notifying an LS until an illegal care visit is assigned. All other notifications remain the same.*
2. DHS/LEA sections will remain the same.

If a valid illegal care is issued, OCC will use the following statute in any written correspondence to individual:

*ORS 329A.990 A person who violates ORS 329A.280 (When certification required) commits a Class A misdemeanor. Each day of violation is a separate offense. [Formerly 657A.990]*

CO Leads will connect with LEA to see if charges will be filed for the above statute violation.

**RS/DHS Listed** – will follow same process as illegal care except OCC will notify DPU.

### **Parent Portal**

Once clearance has been given that information can be shared on the parent portal, the LS and compliance staff will review the records for clarity and consolidation, if necessary and make the needed updates.